

REMARKS

Claims 2-6, 8-17 and 23-44 are active in this application. Claims 2, 3, 8, 9, 10, 14, 26, and 41-44 are amended to include the term "isolated," which is supported by the specification as originally filed. Claims 3 and 9 have also been amended to provide a nucleotide sequence which has 97% homology with SEQ ID NO: 1, 3, 5 or 16 and the recited activity. These amendments are supported by the specification on page 9. No new matter is added.

Applicants wish to thank Examiner Epps for the helpful discussion granted to the Applicants' undersigned representative concerning the issues in the Advisory Action. During this discussion, the Examiner suggested amending Claims 3 and 9 to provide 97% homology in place of the hybridization conditions. Accordingly, Applicants request that the Examiner reconsider the rejection under 35 U.S.C. § 112, first paragraph and find that all pending claims are allowable.

With respect to the objection of Claim 13, Applicants note that this claim has been determined by the Examiner to be allowable but rejected due its dependency on a base claim (referring to page 6 of the Official Action, paper No. 10). Therefore as this objection applies to the claims at issue, the objection to Claim 13 is obviated by amendment as Claim 9 has been amended.

Applicants submit that the present application is ready for allowance. Early notification of such allowance is kindly requested.

Respectfully submitted,

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